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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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BOBBY J. HUGHES,

§

Plaintiff,

§

*versus*

§

CIVIL ACTION NO. 1:04-CV-54

PHYSICIAN'S ASSISTANT DANIEL,

§

Defendant.

§

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Bobby J. Hughes, an inmate confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought this civil rights suit pursuant to 42 U.S.C. § 1983 against Physician's Assistant Daniel.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends that the defendant's motion for summary judgment be granted and the complaint dismissed with prejudice. Additionally, the Magistrate Judge recommends that supplemental jurisdiction should be declined.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

**ORDER**

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

SIGNED at Beaumont, Texas, this 23rd day of February, 2007.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE